



1962, (Counts I, III-IV of Plaintiffs' Complaint (#1)), which are contained in (#89). As stated at the hearing, the court will grant Defendants' Motions to Withdraw such motions for summary judgment without prejudice, and will issue a forthcoming memorandum of decision and Order on Defendant Hartnett's Motion for Summary Judgment on the RICO claims. Additionally, for the reasons discussed at the hearing, the court will enter the following Order regarding the other pending motions.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that Defendants' Oral Motions (made at the July 15, 2015 hearing) to Withdraw the following Motions for Summary Judgment:

1. Defendant Taryn Hartnett's Motion for Summary Judgment as to Counts II, V-XII (#89);
2. Defendant Taryn Hartnett's Motion for Summary Judgment on Counterclaims (#91);
3. Defendants Chapman Legal Group's and Avery Chapman's Motion for Summary Judgment (#93); and
4. Defendants Chapman Legal Group's and Avery Chapman's Motion for Summary Judgment on Counterclaims (#95);

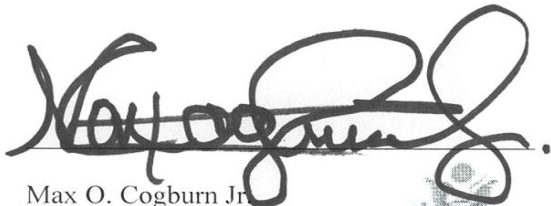
are **GRANTED without prejudice**.

**The Clerk of Court is instructed to note** that the court will rule on Defendants' Motion for Summary Judgment as to the RICO claims (Counts I, III-IV of Plaintiffs' Complaint (#1)) asserted against Defendant Taryn Hartnett (contained within (#89)) by separate Order.

**IT IS FURTHER ORDERED** that Defendants' Motion to Strike Improper Affidavit of Plaintiff Douglas R. Smith (#122) is **DEFERRED** for consideration at this time. The court will revisit this matter after the resumed deposition of Plaintiff Doug Smith, currently scheduled to take place August 24, 2015.

**IT IS FURTHER ORDERED** that Defendants' Motion for Sanctions and Contempt of Douglas Smith (#83) and Judge Cayer's Memorandum and Recommendation and Certification of Facts (#128) are **DEFERRED** for consideration until the conclusion of this case.

Signed: August 26, 2015



Max O. Cogburn Jr.  
United States District Judge